

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEREK D. DABNEY,

Defendant.

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4:02CR116

MEMORANDUM AND ORDER

This matter is before the court on defendant's motion for an extension of time to file a memorandum of law regarding an application for certificate of appealability. (Filing No. 152). The defendant's motion is granted.

IT IS ORDERED:

1. That the defendant has until November 10, 2006 to file his Memorandum of Law regarding his Application for a Certificate of Appealability.

2. The government has until December 3, 2006, to file a response to the Memorandum of Law.

3. The Notice of Appeal will be held in abeyance until the receipt of all materials addressing the Certificate of Appealability.

DATED this 18th day of October, 2006.

BY THE COURT:

s/ Joseph F. Bataillon

JOSEPH F. BATAILLON

Chief United States District Judge